

**FRANKLIN COUNTY AREA PLAN COMMISSION**  
**MEMORANDUM & MINUTES**  
**August 8, 2018 @ 7:00 PM**  
**COMMISSIONERS/COUNCIL PUBLIC MEETING ROOM 203**

**THOSE PRESENT:** Area Plan Commission members: Jeff Batchler, Robert Braun, Chris Ernstes, Joe Moeller, Glenn Bailey. **ALSO PRESENT:** Tammy Davis, Commission Attorney; Cindy Orschell, Executive Director Area Planning, and Fayette Hay, Secretary.

Jeff Batchler, President, opened the meeting with the Pledge of Allegiance and Roll Call.

**Minutes of July 11, 2018 – MOTION** – Robert Braun moved to approve the minutes of July 11, 2018. Joe Moeller 2<sup>nd</sup>. All in Favor (AIF). **Motion Carried (MC).**

**RZ-2-18-20880 for Michael Metcalf to change the present zoning designation from Secondary Agriculture (A-2) to Local Business in Section 22 in Salt Creek Township located on 21005 Walnut Fork Road, parcel #24-07-22-200-005.000-023.** Cindy Orschell, Executive Director, stated that the referenced file was in order. Michael Metcalf came before the Board and stated that he wants to get an Indiana auto dealer license so he can be properly licensed and use property he already owns to do business rather than renting. Jeff Batchler questioned if it was Michael Metcalf's intention to put a used car lot on the property to which Michael Metcalf replied that this was his intention. Jeff Batchler also questioned whether the facility will be handicap accessible and have bathroom facilities. Michael Metcalf said that he wanted to make sure the rezone would go through first and then he would proceed forward to meet any additional necessary requirements to be compliant. The property currently has a rental property residence on site with plumbing, but the building to be used for the dealership does not have bathroom facilities. The plan is to use the vacant building and since there are already plumbing lines on the property to the rental house, he could put plumbing in the garage to comply if necessary. Glenn Bailey asked what is currently on the lot and Michael Metcalf said it contains a rental unit and an insulated garage where cars are stored for his personal use. Michael Metcalf provided that under Indiana law you have to have at least enough space to occupy 10 lot positions in order to get an auto dealer license so by adding gravel to the front he will have adequate space for parking and walking. As this started as a hobby, he doesn't know that he will even have enough inventory to fill all 10 lot positions. Jeff Batchler questioned whether Indiana law requires the premises be fenced in. Michael Metcalf stated that to his knowledge fencing was not required. The property will have a split driveway, one to the rental and one to the building, with the building having a 40x60 graveled area for 10 spaces. There being no further questions or concerns from the Board or audience: **MOTION** – Robert Braun moved to pass the rezone designation on to the commissioners with a favorable recommendation as the approval will not be injurious to the health, safety, morals, and welfare of the community. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and the strict application of the terms of the zoning code will result in the practical difficulties in the use of the property. Joe Moeller 2<sup>nd</sup>. In favor: Chris Ernstes, Glenn Baily, Robert Braun, Joe Moeller. One opposed: Jeff Batchler. **Motion carried.** Cindy Orschell will send the favorable recommendation to the Commissioners.

**Discussion on Rules of Procedure** – Attorney Tammy Davis stated she reviewed and compared the revised copy of the Rules of Procedure and there were a few typos and questions. Jeff Batchler said that the board was not ready to act on the Rules of Procedure tonight as they needed cleaned up and reviewed before the next meeting. Tammy Davis will get with Mary Rodenhuis to review typos, changes and verbiage regarding motions, and signature lines added for the APC and BZA. Jeff Batchler asked the board to take



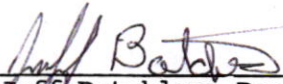
1-1/2 to 2 weeks to review, and if there are any questions, comments or concerns to get with Mary Rodenhuis or Cindy Orschell before it is brought back to the board. Cindy Orschell will rescan and send to all the board members for review.

**DAVIS PROPERTY, STATE ROAD 244** – Tammy Davis spoke with Mr. Davis regarding cleanup. He has a few things going on as his father, who owns the property, is in Florida and has been hospitalized numerous times. Also, the inside of the house is being renovated so there are appliances outside the house which will go back inside once renovation is complete. She told Mr. Davis that all junk needs removed prior to the board meeting on September 12, 2018, as well as the Jeep and refrigerator being hauled away. He was very apologetic regarding needing the extra time due his father's illness and having to go to Florida to tend to his father.

**EVERSOLE, BUSHY ROAD** – Tammy Davis said she will follow up with Jerry Eversole. Cindy Orschell stated that she has not spoken with Jerry Eversole lately.

The Executive Director, Cindy Orschell, asked the Board Members if they had received the email from the commissioners regarding the proposed amendments. Tom Wilson requested a definition of recreation and also wants some of the recreational districts removed from conditional uses. The commissioners wanted a full board present and are going to have a public hearing on August 28, 2018, at 10:00am regarding said amendments. Chris Ernstes asked what was meant by a "full board" to which Cindy Orschell replied that there were only two commissioners present at the scheduled meeting, Tom Wilson and Eric Roberts, at the time the amendments were discussed. Chris Ernstes mentioned that he was confused as to who wanted the recommendations to which Cindy Orschell replied that the recommendations were made by Tom Wilson, commissioner. Eric Roberts, one of the commissioners seated in the audience, stated that each of the commissioners have their own tweaks. Eric Roberts said that he had no issue with the Development Plan. On the industrial and recreational aspect all three of the commissioners see that there are issues, but that is separate from what has already been done. Jeff Batchler asked Eric Roberts to clear up the issue and wanted to know if the commissioners wanted the board to act on anything tonight or wait until after August 28<sup>th</sup>. Eric Roberts said there was only a discussion at the commissioners' meeting, but they did not have a public meeting. Tammy Davis said it was not previously published as a public meeting so the August 28<sup>th</sup> meeting will be a published public meeting to discuss the amendments. The commissioners will then send the proposed amendments back to the APC with recommendations or continue discussion until another time. At this point the commissioners have not officially acted upon anything other than setting this for public hearing on August 28, 2018. Jeff Batchler asked Cindy Orschell to put this on the agenda for the September 12, 2018, APC meeting.

**ADJOURNMENT - MOTION** – Robert Braun moved to adjourn the meeting. Joe Moeller 2<sup>nd</sup>. AIF. MC. Meeting adjourned at 7:21 p.m. The next scheduled APC meeting is September 12, 2018.

  
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Jeff Batchler, President

  
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Cindy C. Orschell, Recording Secretary